



Legislative Update

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House Hears Regulatory Improvement Actions and Proposals

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Twice during the past week, Secretary Miyahara testified before the House Government Reform and Land Use Committee on issues related to regulatory improvement. Secretary Miyahara first served on a panel of agency heads that briefed the committee on the implementation of Executive Order 97-02 on Regulatory Improvement issued by Governor Locke in 1997.

The panel, which consisted of representatives from the Departments of Health, Labor and Industries, and Revenue, outlined agency accomplishments to date, as well as plans for further implementation in the next four years. The Department of Health testified to the following accomplishments: 1) Plans for review of a little over half (1800 sections) of its regulations over the next four years; 2) Repeal of 146 outdated or duplicative sections of administrative code; 3) Review of 370 policies and interpretive statements; 4) Development of rules that will provide a single location for adjudicative and investigative procedures for the 44 professional boards; 5) Increased public participation in rulemaking; 6) Improved regulatory processes through quality improvement activities; and 7) Simplified and better coordinated reporting requirements.

In his second appearance before the committee, Secretary Miyahara served on a panel with representatives from the Departments of Ecology, and Labor and Industries. The panel testified on House Bill 2345. This bill contains many of the same regulatory reform themes from previous years. Key provisions of the bill require a four year review of all regulations; invalidation of rules that are not reviewed within the four year period, notification and meetings with affected parties after the rules adoption, local government impact statements for rules that impose more than minor costs on local government, and expansion of the legislative oversight powers and politicization of the Joint Administrative Rules Review Committee (JARRC).

Panel members welcomed sections of the bill that streamline the rulemaking process, and took the opportunity to inform the committee about the unintended consequences of other provisions of the bill. The section with greatest affect requires the review of all agency rules within four years and invalidates rules that are not reviewed within the designated time.

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Regulatory Improvements Actions and Proposals (con't)

Secretary Miyahara testified to a lack of capacity to complete the review of all regulations within four years. Rules that DOH has not reviewed within the specified time would expire, placing many health regulations in jeopardy. Chairman Reams acknowledged the difficulty in amending health regulations due to the numbers of interested parties, jurisdictional issues and overriding concerns of "endangering the public health."

Further discussion focused on sections of the bill that may seem unclear. One example raised during testimony was the mandate to involve "affected parties" rather than the current process of involving "interested parties." With some regulations, this new language could be construed to mean all Washington State residents. The problem with definitions also extends to the requirement for local government impact statements. The bill requires local government impact statements for regulations that impose more than minor costs, however the term "minor costs" is not defined.

The House Government Reform and Land Use Committee discussed **House Bill 2435** during an Executive Session on January 22. ♦

U.S. House Speaker Gingrich Addresses a Joint Session of the Legislature

On Tuesday, January 13, 1998, U.S. Speaker of the House Gingrich delivered a brief address before a joint session of the Legislature. His main focus addressed concerns related to education, social security and illegal drugs.

He has proposed that all public school students be fluent in English by the fourth grade. He suggested that tenure be stripped from instructors teaching in poorly rated schools. Mr. Gingrich said that, "all public school children should be able to read and write using the commercial language of the United States." He also suggested that through proper education we can prevent future crime. He supports a drug-free society that will allow our children to live without the threat of addiction and crime. Mr. Gingrich said that, "an all-out drug war could be won in two or three years and is simply a matter of willpower, focus, resources and management." He suggested using Hollywood entertainers to act as role models to "break the back of the drug culture".

The Speaker also discussed the tax burden on personal income. He suggested we attempt to "bail out the system by letting people privately invest social security tax payments". He supports taxpayers investing in Wall Street to generate higher earnings.

Many in attendance found his speech passionate and inspirational by His sense of optimism suggests a better and brighter future for our country. ♦

Legislative Internet Links

Legislative information can be accessed via the internet. The following are a few links that may be of interest:

Legislative Information:

WWW - <http://www.leg.wa.gov>

Gopher - <gopher.leg.wa.gov>

FTP - <ftp.leg.wa.gov>

Email - ftpmail@leg.wa.gov

Washington State House of Representatives

[http://www.leg.wa.gov/www/house/
members/housepg.htm](http://www.leg.wa.gov/www/house/members/housepg.htm)

Washington State Senate

<http://www.leg.wa.gov/www/senate.htm>

Washington State Governor's Home Page

<http://www.wa.gov/governor>

*TVW indicates that TVW tentatively plans to televise either LIVE or on a tape delayed basis. For additional information on TVW scheduling or availability, please call TVW at (360) 586-5555, or visit the TVW web site at:
www.tvw.org*

DATA AND CONFIDENTIALITY

SB 6329: Health Care Information Disclosure

Authorizes disclosure of health care information without patient's authorization to county coroners and medical examiners for the investigations of deaths. **Senate Health & Long Term Care.** *Public Hearing, 1-29-98, 10:00AM, Senate Hearing Room 4.*

DISEASE PREVENTION & CONTROL

HB 2366: Good Samaritan Disease Tests

Provides that any person, who without compensation or the expectation of compensation renders emergency care at the scene of an emergency that brings them into contact with bodily fluids shall be provided the opportunity to have infectious disease testing provided by a local public health department free of charge, provided the person needing the test has no insurance coverage. **House Health Care.** *Possible Executive Hearing, 1-27-98, 1:30PM, House Hearing Room B.*

HB 2413: Sexually Transmitted Disease

Revises RCW 70.24.105 to provide for disclosure of sexually transmitted disease information to a person rendering emergency care or transportation, commonly known as a "good Samaritan". **House Health Care.** *Possible Executive Hearing, 1-28-98, 3:30PM, House Hearing Room A.*

HB 2681: Rabies Vaccinations For Pets

Requires all dogs, cats, and ferrets to be vaccinated by a licensed veterinarian against rabies in accordance with rules adopted by the department of health that are based on the current compendium of animal rabies control published by the national association of state public health veterinarians. Provides that any person who fails to comply with this act is subject to a civil penalty of fifty dollars. **House Health Care.**

ENVIRONMENTAL HEALTH

HB 2303/SB 6140: Regulating Public Water Systems

Declares that a receiving public water system's use may exceed its water right authorization if the

receiving public water system's withdrawal does not exceed the instantaneous or annual withdrawal rate specified in the receiving public water system's water right authorization. Requires the department not to consider the existence of interties when the department makes a determination on applications for new water rights, changes, or transfers by a public water system that is receiving or may receive water through an intertie. **House Agriculture & Ecology. Senate Agriculture & Environment.**

HB 2304/SB 6141: Public Water Systems

Amends the definition of "municipal water supply purposes" to mean that public water system rights certificated, permitted, or authorized by the department to public water systems that are both: granted an operating permit under RCW 70.119A.100 by the department of health or approved by a local county health agency; and expanding public water systems with approved water system comprehensive plans. **House Agriculture & Ecology. Senate Agriculture & Environment.**

HB 2337: Groundwater Aquifer Protection

Directs the department of transportation to serve publicize upcoming chemical treatments of noxious weeds within state right of way to those cities and counties having Group A water systems that serve a minimum of twenty thousand residences within their respective jurisdictions. Urges local jurisdictions to submit to their regional department of transportation office, the documentation required by WAC 246-29-135 as well as the local jurisdiction's policy on the use of chemicals to control noxious weeds. **House Agriculture & Ecology.**

HB 2384/SB 6180: Solid Fuel Burning Devices

Requires the Department of Ecology, in cooperation with local air pollution control agencies and representatives from the hearth products industry and other appropriate stakeholders to analyze the new federal standards and make recommendations to the legislature regarding changes in the state's laws related to determining stage one or stage two impaired air quality due to solid fuel burning devices. Ecology and other parties shall recommend how to incorporate the new federal standard in determining first and second stage impaired air quality so as to

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minimize the likelihood that particulate levels in any area of the state will be in violation of the new federal air quality standard for particulates due to solid fuel burning devices. Ecology shall submit its report and recommendations in writing by December 1, 2000.

House Agriculture & Ecology. Senate Agriculture & Environment. *Public Hearing, 1-29-98, 8:00 AM, Senate Hearing Room 3.*

HB 2396: Ground Water Withdrawal

Allows use of ground water without a permit as authorized under RCW 90.44.050 may be considered to constitute an appropriate provision for potable water supply only to the extent that all of the water uses to be supplied water under the exemption from permitting in every respect consistent with the limitations on the use of the ground water without a permit. **House Agriculture & Ecology.**

HB 2414: Outdoor Burning Compliance

Extends the time in which to comply with outdoor burning prohibitions to December 31, 2006. **House Agriculture & Ecology.** *Public Hearing, 1-29-98, 1:30PM, House Hearing Room A.*

HB 2514: Integrated Watershed Management

Declares an intent of this act to provide locally based groups with the opportunity to: assess local water supplies and needs and develop strategies to provide adequate water for economic prosperity and environmental protection while protecting existing water rights; review water quality problems and develop a strategy for achieving compliance with water quality standards; and formulate plans for protection and enhancement of water-related wildlife and fish habitat. **House Agriculture & Ecology.** *Possible Executive Session, 1-28-98, 8:00AM, House Hearing Room B.*

HB 2542: Rural Counties/Growth Management

Provides that a rural county that adopts a resolution removing the county, and the cities located within the county, from the requirement to plan under the Growth Management Act remains subject to the

requirements for the designation and protection of critical areas and the designation of natural resource lands.. **House Government Reform & Land Use.**

Possible Executive Session, 1-26-98, 10:00 AM, House Hearing Room E.

HB 2537/SB 6131: Shellfish Sanitary Control

Provides that a person whose license or certificate of approval is denied, revoked or suspended as a result of violations of chapter 69.30 RCW may not participate to any degree in a shellfish operation. **House Agriculture & Ecology. Senate Rules.** *Public Hearing, 1-27-98, 10:00 AM, House Hearing Room C.*

HB 2579/SB 6241: Critical Water Supply Areas

Finds that this problem of effective and efficient delivery of a safe water supply is exacerbated when the critical water supply service area is part of one or more urban growth areas. Establishes a process for ensuring that a safe water supply is available in a timely manner to residents and property owners in critical water supply service areas within urban growth areas. **House Agriculture & Ecology. Senate Agriculture & Environment.** *Public Hearing, 1-28-98, 8:00 AM, Senate Hearing Room 3.*

HB 2618/SB 6474: Fertilizer Regulation

Declares an intent to strengthen the state's fertilizer adulteration laws to protect human health and the environment by: ensuring that all fertilizers meet standards for allowable metals; allowing fertilizer purchasers and users to know about the contents of fertilizer products; clarifying the department of ecology's oversight authority over waste-derived fertilizers; and authorizing additional studies on plant uptake of metals. Makes an appropriation of four hundred seven thousand seven hundred forty-seven dollars from the general fund to the department of agriculture for the purposes of this act.

House Agriculture & Ecology. Senate Agriculture & Environment. *Public Hearing, 1-27-98, 8:00 AM, Senate Hearing Room 3. Public Hearing, 1-26-98, 10:00 AM, House Hearing Room A.*

HB 2670: Growth Management Planning

Eliminating grant and loan preferences for growth management act planning. Repeals RCW 43.17.250. **House Government Reform & Land Use.**

HB 2687: Government Access to Private Property

Declares an intent, with certain limited and necessary exceptions, that all persons, whether government employees or private persons, be made subject to the same restrictions with regard to entering upon the property of another. It is the intent of the legislature to eliminate special immunities from prosecution for trespass, whether those immunities have been legislatively granted to government or to private persons or entities. **House Law & Justice. Public Hearing, 1-30-98, 8:00 AM, House Hearing Room A.**

HB 2775: Water Rights

Provides that if a person placed surface or ground water to beneficial use before January 1, 1993, for irrigation, stock watering, or domestic use supplied by a public water supply system with one hundred fifty or fewer service connections for which a permit or certificate was not issued by the department or its predecessors, the person or the public water supply system, or their respective successors may continue to use water in the amount that has been beneficially used if designated conditions are made. **House Agriculture & Ecology.**

HB 2791: Methamphetamine

Provides that the manufacture or possession of ephedrine or pseudoephedrine with intent to manufacture methamphetamine in or near a residence in which a minor resides is a "most serious offense" under RCW 9.94A.030. Provides that funds may also be appropriated to local departments of health for a program to assist in the cleanup of sites of methamphetamine production. Funds from this program shall not be used for the initial containment of such a site. **House Criminal Justice & Correction.**

HB 2800/SB 6334: Small City Water Rights

Finds that an application to withdraw ground water filed with the Department of Ecology serves overriding

considerations of the public interest when all of the following criteria are met: the application is either filed or held, through assignment or otherwise, by a city with a population no greater than five thousand at the time the application is filed; the city has a sole source of firm water supply and that source might be at risk of failure due to contamination or to source location factors including but not limited to steep slope and other geologic hazards; the city has a comprehensive plan approved under the Growth Management Act and the plan includes an urban growth area that the city will be required to serve; the city's current water supply is insufficient to meet the future demand forecasted in the plan throughout the ten-year period beginning with the adoption by the city of the plan; the city has no currently available reasonable alternative source or supplier of water to meet the demand; and the city has identified a permanent alternative firm supply of water to meet the forecasted demand that the city reasonably expects to become available within ten years of the date of the adoption by the city of the plan. **House Agriculture & Ecology. Senate Agriculture & Environment. Public Hearing, 1-28-98, 8:00 AM, House Hearing Room A.**

HB 2803: GMA Compliance Timelines

Declares that a county or city making reasonable progress toward adopting a comprehensive plan and development regulations has until July 1, 2000, to adopt a comprehensive plan and development regulations. **House Government Reform & Land Use.**

SB 6139: Amphetamine Penalties

Increases penalties for manufacture and delivery of amphetamine. **Senate Law & Justice. Public Hearing, 1-27-98, 1:30 PM, Senate Hearing Room 1.**

SB 6123: Animal Health

Designates the authority and responsibility of the director of agriculture to supervise the prevention of the spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting animals within, in transit through, and imported into the state. **Senate Agriculture & Environment.**

SB 6161: Dairy Nutrient Management

Establishes a credible registration and inspection program for dairy animal feeding operations to address the excessive discharge of nutrients or pollutants to waters of the state and lead to compliance by the industry with water quality laws. Maintains the administration of the water quality program as it relates to dairy operations at the state level. Creates a balanced program involving technical assistance, regulation, and enforcement with coordination and oversight of the program by an advisory committee composed of agency, industry, and other representatives. Clarifies the current coordination procedures and responsibilities between the Department of Ecology, the conservation commission, and conservation districts. Repeals RCW 90.64.005 and 90.64.090. **Senate Agriculture & Environment.**

SB 6170: Uranium or Thorium Mills

Declares that the Department of Health may not approve a plan for reclamation, closure, or decommissioning of a uranium or thorium mill or tailings facility if the plan uses the receipt, storage, permanent impoundment, or disposal of materials originating from a site that is more than forty-five miles from the site covered by the plan. **Senate Agriculture & Environment.** *Public Hearing, 1-28-98, 8:00 AM, Senate Hearing Room 3.*

SB 6248: Geoduck Harvesting Agreements

Provides that if a harvesting agreement provides for discrete, separate harvest periods for portions of the total harvest allowed, the harvester may terminate the agreement, for any separate harvest period, if government agency actions prohibit harvesting for a period exceeding a total of thirty days within that harvesting period. **Senate Natural Resources & Parks.**

SB 6249: Geoduck Harvesting Agreements

Revises current law relating to geoduck harvesting agreements. **Senate Natural Resources & Parks.**

SB 6250: Geoduck Diver Licenses

Declares that, after July 1, 1998, no new geoduck diver licenses shall be issued unless fewer than fifty

persons are eligible for renewal. A person may renew an existing license only if the person held a geoduck diver license for four of the seven years 1991 through 1997, or acquired the license by transfer from someone who held it during the previous year, and if the person has not subsequently transferred the license to another person. Provides that geoduck diver licenses are not transferable except from parent to child, from spouse to spouse during marriage or as a result of marriage dissolution or property settlement, or upon death of the license holder. **Senate Natural Resources & Parks.**

SB 6497: Taking of Private Property.

Declares that it is the public policy of the state of Washington that state agencies and local governments, in planning and carrying out governmental actions, anticipate, be sensitive to, and account for the obligations imposed by the fifth and the fourteenth amendments of the United States Constitution and Article I, section 16 of the state Constitution. It is the purpose of this act to reduce the risk of undue or inadvertent burdens on private property rights resulting from certain lawful governmental actions. **Senate Government Operations.**

SB 6520: Watershed Plan Local Funding

Declares that the purpose of this act is to authorize counties, cities, and special districts to provide funding from existing water-related sources to assist in comprehensive planning and management activities on a watershed basis. The coordinated program established in this chapter is intended to emphasize local accountability, consistency with growth planning activities, and protection of the public health and the environment in a cost-efficient manner. **Senate Agriculture & Environment.**

SB 6344: Low Level Radioactive Waste

Declares that, when the transportation of low-level radioactive waste from outside the state into a county within the state is authorized, any county through which such waste will be transported may assess county impact fees to cover the cost reasonably necessary for the county to prepare for and respond to the movement of such waste through the county. **Senate Agriculture & Environment.** *Public Hearing, 1-28-98, 8:00 AM, Senate Hearing Room 3.*

2E2SHB 1354: Air Pollution Control

Requires the Department of Ecology to establish a scientific advisory board to review plans to create or expand an inspection and maintenance system for motor vehicle emissions. Exempts from the requirements for emission inspection collector cars as identified by the department of licensing under RCW 46.16.305(1), or beginning January 1, 2000, vehicles that are less than five years old or more than twenty-five years old.

Directs the Department of Ecology to evaluate changes to the motor vehicle emission inspection program made in RCW 46.16.015(2)(j) and other options that meet air quality objectives and lessen the effect of the program on the motorist. The department shall consider air quality, program costs, and motorist convenience in its evaluation and make recommendations for changes to the program to the appropriate standing committees of the legislature by January 1, 1999. Provides that the act shall be null and void if appropriations are not approved. **Senate Agriculture & Environment.**

SHB 1692: Port District Aquatic Lands

The only lands that may be included in a port district aquatic lands management agreement are those state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned, leased, or otherwise managed by a port district. Upon request of a city, the department and city may enter into an agreement authorizing the city to manage state-owned aquatic lands for the purpose of operating a publicly owned marina. Directs the development of a proposed model management agreement that shall be used as the basis for negotiating the management agreements required by this section. The model management agreement shall be reviewed and approved by the board of natural resources. **House Passed 3rd.**

FAMILIES & CHILDREN

HB 1697/SB 5278: Mother of Drug-Addicted Baby

Requiring court-ordered use of long-term pharmaceutical birth control for mothers who have given

birth to a baby with drug addiction. Directs the department of social and health services to operate four pilot projects in communities served by the parent and child assistance program to provide services to drug-addicted women who give birth to drug-addicted infants.

Provides that the first referral of a drug-addicted woman who has given birth to a drug addicted baby shall result in the offering of: (1) Voluntary chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and (2) voluntary family planning information, education, and counseling.

Provides that the second referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: (1) Mandatory chemical dependency treatment, -counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and (2) voluntary long-term birth control and related education and counseling.

Provides that the third referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: (1) Mandatory chemical dependency treatment, counseling, and support services; and (2) mandatory long-term birth control and related education and counseling through the procedure established under this act.

Designates procedures to file a petition with the superior or district court related to the woman's participation in chemical dependency treatment, counseling, and support services and the use of long-term pharmaceutical birth control. **Senate Human Services & Corrections.**

HB 2308: School Tests/Parent Consent

Confirms that it is within the rightful authority of parents to determine how much personal information regarding their child and their family is divulged to schools and individual educators. Requires prior parental consent for the administration of tests, questionnaires and surveys that elicit the personal

beliefs or practices of a student or a student's family regarding sex or religion. Requires that all instruction materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any test, questionnaire, survey, analysis, or evaluation in a school shall be available for inspection by the parents or legal guardians of the students and by any member of the school board. Provides that schools shall give parents and students effective notice of their rights under this act. **House Education.** *Possible Executive Session, 1-23-98, 10:00 AM, House Hearing Room A.*

HB 2332: School Laws and Rules Waivers

Deletes the expiration date of June 30, 1999, for provisions relating to the waivers of laws and rules pertaining to schools. **House Education.**

HB 2395/SB 6530: Partial Birth Abortions

Provides that any physician who knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this act or imprisoned not more than two years, or both. This act shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. Requires approval by the people at the next general election.

House Law & Justice. Senate Law & Justice. *Public Hearing, 1-30-98, 8:00 AM, House Hearing Room A.*

HB 2422: Parents' Rights in Education

Allows parents to: make a complaint to the school board and have the complaint heard at a public hearing regarding instructional and library materials the parent deems objectionable; exclude their child from sex education and HIV/AIDS classes and be involved in evaluation and revision of sex education and HIV/AIDS programs; and exclude their child from scoliosis screening and be involved in instructional materials committees in accordance with RCW 28A.320.230. **House Education.** *Possible Executive Hearing, 1-29-98, 8:00AM, House Hearing Room A*

HB 2585: Mistreatment of Unborn Child

Makes it a crime to harm an unborn child by the use of drugs or alcohol. **House Law & Justice.** *Public Hearing, 1-30-98, 8:00 AM, House Hearing Room A.*

HB 2593/SB 6522: Coverage for Maternity Care

Requires every policy issued by a health carrier that provides hospital, surgical, or medical coverage to provide coverage for maternity care, including hospital, surgical, or medical care under the same terms and conditions that hospital, surgical, or medical coverage is provided for illness or disease under the policy. **House Health Care. Senate Health & Long Term Care.**

HB 2594/SB 6376: Protecting Contraceptive Health Care Benefits

Provides that a health plan issued to individuals or groups shall not exclude or restrict benefits for: (1) Prescription of contraceptive drugs or devices allowed under Title 69 RCW or generic equivalents substitutable under chapter 69.41 RCW, if the health plan covers or provides other outpatient prescription drugs or devices; or (2) outpatient contraceptive services if the plan covers or provides other outpatient services provided by a health care provider.

House Health Care. Senate Health & Long Term Care.

HB 2635: Viable Fetus Protection

Declares that a physician or other person may not perform, or attempt to perform, any abortion with the intent to terminate the life of a viable fetus, unless it is necessary to preserve the life of the mother. If a pregnancy is terminated, the life of the viable fetus may not be terminated, unless it is necessary to preserve the life of the mother. Prescribes penalties for violation of the act. **House Law & Justice.** *Public Hearing, 1-30-98, 8:00 AM, House Hearing Room A.*

HB 2669: Non-academic Subject Parent Consent

Requires schools desiring to provide instruction in nonacademic subject matter regarding suicide, euthanasia, or human sexuality issues dealing with sex education, sexually transmitted diseases, contraception, or sexual orientation, to provide such instruction as an independent unit within a curriculum offering.

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Requires all independent units offered to be elective and requires prior parental written consent before a student participates in the unit offering. **House Education.** *Public Hearing, 1-30-98, 10:00 AM, House Hearing Room A.*

HB 2883/SB 6339: Declaring English To Be The Common Language

Declares that a purpose of this act is to recognize the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Declares a purpose of this act is to establish a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. Refers the bill to the people for ratification at the next general election. **House Commerce & Labor. Senate Education.** *Public Hearing, 1-29-98, 10:00 AM, Senate Hearing Room 3.*

SB 5885/SHB 1194: Breast Feeding In Workplace
Authorizes a woman to breast-feed her infant child in any public or private location at her place of employment where the woman is otherwise authorized to be. **House 2nd Reading.**

SB 6247: Sexually Explicit Matter/Minors

Declares that a person is guilty of unlawful display of sexually explicit material to a minor if the person knowingly shows such material on a viewing screen so that the sexually explicit material is visible to a minor who is not trespassing. The bill does not provide a limited exemption for health related materials. **Senate Law and Justice.** *Public Hearing, 1-27-98, 1:30 PM, Senate Hearing Room 1.*

SB 6290: Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial

parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person.

Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Law & Justice.**

SB 6296: English As Common Language

Declares that a purpose of this act is to recognize the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Declares a purpose of this act is to establish a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. Refers the bill to the people for ratification at the next general election. **Senate Education.**

Bill Watch

SB 6338: Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person.

Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Law & Justice.**

SB 6345: Charter Schools

Declares an intent to authorize the establishment of charter schools for the purpose of providing a unique setting for learning that will improve pupil achievement and provide additional public school choices for students, parents, and teachers. Allows charter schools to waive no federal laws. **Senate Education.**

SB 6472: Children's Health Initiative

Makes the basic health plan available to persons covered by the federal children's health initiative. **Senate Health & Long Term Care. Public Hearing, 1-29-98, 10:00 AM, Senate Hearing Room 4.**

SB 6514: Student Catheterization

Provides that school district employees, except those licensed under chapter 18.79 RCW, who have not agreed in writing to perform clean, intermittent bladder catheterizations as part of their job description, may file a written letter of refusal to perform clean, intermittent bladder catheterization of students. The letter of refusal shall not serve as grounds for discharge, nonrenewal, or other action adversely affecting the employee's contract status.

Senate Health & Long Term Care.

SB 6546: School Nurse/Student Ratios

Provides that, beginning with the 1999-2000 school year, each school district shall maintain a ratio of not less than one school nurse for every one thousand five hundred (1,500) full-time equivalent students. In the 2000-2001 school year, each school district shall maintain a ratio of not less than one school nurse for every one thousand (1,000) full-time equivalent students. In the 2001-2002 school year, each school district shall maintain a ratio of not less than one school nurse for every seven hundred fifty full-time equivalent students.

Senate Health & Long Term Care.

FISCAL

HB 2301: Vehicle Excise Tax Moneys

Reduces the annual amount of the motor vehicle excise tax to one and one-half percent of the value of the vehicle and revises the distribution formula for the tax. Applies to motor vehicle fees due after June 30, 1998. **House Finance.**

HB 2320: Toxicology Lab Funding

Makes an appropriation of three hundred fifty-one thousand five hundred dollars to carry out the purposes of funding the state toxicology laboratory. **House Appropriations.**

HB 2453: Motor Vehicle Excise Tax

Revises provisions relating to motor vehicle excise taxes. **House Finance.**

HB 2592/SB 6437: Funding Family Planning

Directs the governor to negotiate with the federal

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Department of Health and Human Services' Health Care Financing administration to obtain a regulatory waiver of provisions of the medical assistance statute, Title XIX of the federal social security act, to permit Washington to provide family planning services under the medical assistance program to families with income less than two hundred percent of the federal poverty level and report to the appropriate committees of the legislature by December 15, 1998, on the status of these negotiations. **House Appropriations. Senate Human Services & Corrections.** *House Public Hearing, 1-27-98, 3:30 PM, House Hearing Room A.*

HB 2627/SB 6450: Supplemental Operating Budget

Provides supplemental appropriations. **House Appropriations. Senate Ways and Means.**

HB 2645/SB 6468: Water Quality/Health Service Account

Manages the water quality account by changing the timing of transfers and reallocating cigarette tax revenues to the health services account. **House Appropriations. Senate Ways and Means.**

HB 2724: Enforcement Moneys/Leg Oversight

Provides that no state officer or employee may expend moneys received from fines, penalties, forfeitures, settlements, court orders, or other enforcement actions except as provided in a specific appropriation by law. **House Appropriations.** *Public Hearing, 1-28-98, 3:30 PM, House Hearing Room A.*

HB 2778: Brain Injury Trust Fund

Requires that a twenty-five dollar fine shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution as a result of an arrest for violating DWI (under 21), DUI, Vehicular Homicide, and Vehicular Assault. This fine is for the purpose of providing services to persons disabled by traumatic brain injuries. **House Law & Justice.**

HB 2801: Vehicle Excise Tax Revenues

Revises RCW 82.44.110 relating to disposition of motor vehicle excise tax revenues. **House Appropriations.**

HB 2841/SB 6537: Liquor Board Grant Receipts
Allowing the liquor control board to receive grants and other funds or donations to implement programs about alcohol and tobacco. **House Commerce & Labor. Senate Commerce & Labor.**

SB 6112: Vehicle Excise Tax Reduction

Reduces the rate of motor vehicle excise tax on automobiles, motorcycles, light trucks, and motor homes by a general reduction in the value of vehicles to which the tax is applied. Reductions in revenue from the motor vehicle excise tax must be funded from projected surpluses in the state general fund so as to not have a detrimental effect on other programs receiving funds from the tax. **Senate Ways and Means.**

SB 6168/HB 2494: Temporary Worker Housing

Directs DOH to adopt by rule a temporary worker building code in conformance with the temporary worker housing standards developed under the Washington Industrial Safety and Health Act, Chapter 49.17 RCW, the rules adopted by the State Board of Health under RCW 70.54.110, and the designated guidelines. Requires that, by December 1, 1998, the Department of Labor and Industries shall adopt rules requiring electricity in all temporary worker housing and establishing minimum requirements to ensure the safe storage, handling, and preparation of food in these camps, regardless of whether individual or common cooking facilities are in use. Provides that, beginning in fiscal year 1999 and each fiscal year thereafter, the state treasurer shall transfer two million dollars from the general fund to the housing trust fund. The funds transferred under this section are provided solely to the department of community, trade, and economic development for the development of housing for low-income farm workers. **Senate Agriculture & Environment. House Trade & Economic Development.**

SB 6446: Health Care Funding

Establishes a tax imposed at the rate of 1.0 percent on all taxable income of each person for each taxable year to be used for health care funding. **Senate Ways and Means.** *Public Hearing, 1-29-98, 8:00 AM, Senate Hearing Room 4.*

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INJURY PREVENTION

HB 2437: Bicycle Helmets

Provides that, in order to provide an effective means of implementing a requirement for all bicyclists and their passengers to wear helmets, the legislature recognizes that programs of helmet awareness designed to promote use of helmets by all ages, undertaken by public and private agencies with existing resources, and with notification of the requirement must precede the date of total enforcement. **House Transportation Policy & Budget.**

SSB 6015: Water Recreation Facilities

Provides that no fee or fee increase may be adopted without a public hearing. A reduction in the operating permit fee of at least seventy-five percent shall be granted when a facility operator demonstrates a satisfactory level of training in pool safety, water quality, maintenance, and operations. **Senate Health & Long Term Care.**

SB 6225: Firearms Possession/Minors

Requires adult supervision of minors under fourteen in possession of firearms while hunting or trapping. **Senate Natural Resources & Parks.**

INSURANCE

HB 2540: Dental Care Charges/Insurance

Requires each health plan offered to public employees and their covered dependents that is not subject to the provisions of insurance law that provides benefits for hospital or medical care to also provide benefits for anesthesia and hospital charges for dental care for a covered person who: is a child under age six; is severely disabled; or has a medical condition requiring hospitalization or general anesthesia for dental care treatment, provided that such services are delivered upon the recommendation of the patient's physician. **House Health Care.** *Possible Executive Hearing, 1-27-98, 1:30PM, House Hearing Room B.*

PROFESSIONAL/ FACILITIES LICENSING

HB 2357/SB 6375: Pawnbroker Interest and Fees

Revises RCW 19.60.060 to set the rates of interest

and other fees charged by pawnbrokers. **House Financial Institutions Insurance & Housing.**

HB 2363/SB 6411: Nurse Delegation

Enacting department of health recommendations removing barriers to nurse delegation. Revises RCW 18.88A.030 and 18.88A.210 to adopt department of health recommendations removing barriers to nurse delegation. **House Health Care Committee. Senate Health & Long Term Care.** *Public Hearing, 1-22-98, 8:00AM, House Hearing Room B. Public Hearing, 1-27-98, 10:00 AM, Senate Hearing Room 4.*

HB 2364: Health Professions Administrative Procedures

Revises RCW 43.70.280 to extend the authority of the secretary of health to write administrative rules for the health professions from July 1, 1998 to July 1, 1999. **House Rules.**

HB 2774: Adult Family Homes

Creates an advisory committee on matters relating to the regulation of adult family homes. **House Health Care.** *Public Hearing, 1-30-98, 10:00 AM, House Hearing Room B.*

HB 2788: Nursing Assistant Training

Provides that the nursing care quality assurance commission shall direct the nursing assistant training programs to accept some or all of the skills and competencies from the curriculum modules towards meeting the requirements for a nursing assistant certificate. A process may be developed to test persons completing modules from a caregiver's class to verify that they have the transferable skills and competencies for entry into a nursing assistant training program. Directs the Department of Social and Health Services (DSHS) and the nursing care quality assurance commission to work together to develop an implementation plan by December 12, 1998. **House Health Care.** *Public Hearing, 1-29-98, 8:00 AM, House Hearing Room B.*

HB 2789: Providing for Adult Family Home and Boarding Home Training

Directs that the minimum training standards for licensees serving residents with special needs, such as mental illness, dementia, or a developmental

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disability, be increased, and that licensees receive additional appropriate training, and that the training delivery system be improved. Provides that the facility shall only admit or retain individuals whose needs it can safely and appropriately serve in the facility with appropriate available staff or through the provision of reasonable accommodations required by state or federal law. Requires that each resident and his or her representative must be informed in writing in advance of changes in the availability or the charges for services, items, or activities, or of changes in the facility's rules. **House Health Care.** *Public Hearing, 1-30-98, 10:00 AM, House Hearing Room B.*

SB 6265: Opticians/Eye Refractions. - Authorizes dispensing opticians to perform eye refraction and modify existing prescriptions to reflect changes in vision. **Senate Health & Long Term Care.**

SB 6271: Medical Marijuana

Finds that the medical utility of marijuana is worth studying, and encourages public and private research organizations and physicians to research such use, including efficacy, and availability of pharmaceutical quality marijuana. Declares an intent that seriously ill patients, who, in the judgment of their physicians would benefit from the use of medical marijuana, be exempt from liability and criminal prosecution for limited, personal possession and use of marijuana; that physicians also be immune for liability and prosecution for the authorization of marijuana use to patients for whom, in the individual physician's professional judgment, medical marijuana may prove beneficial. Proposes to strictly limit the legalization of marijuana to medical use, upon authorization of a physician. The legislature does not condone the nonmedical, recreational use of marijuana under any circumstances. **Senate Health & Long Term Care.**

SB 6382: Dental Hygienists/Sealants

Authorizes endorsed dental hygienists to provide sealants to low-income school children. **Senate Health & Long Term Care.**

SHB 1618: Impaired Physician Programs

Makes technical revisions to provisions relating to treatment programs for impaired physicians.

House Rules

REGULATORY REFORM

HB 2345: Administrative Law Revisions

Revises provisions relating to administrative law rule-making and hearing procedures. **House Government Reform & Land Use.** *Executive Session, 1-22-98, 1:30PM, House Hearing Room E.*

HJR 4214: Legislative Veto of Agency Rules

Proposes an amendment to the state Constitution to authorize legislative veto of agency rules. **House Government Reform & Land Use.** *Public Hearing, 1-28-98, 8:00 AM, House Hearing Room E. Possible Executive Session, 1-29-98, 1:30 PM, House Hearing Room E.*

STATE GOVERNMENT REORGANIZATION

SB 6239: Family Policy Council Sunset

Provides that the family policy council and its powers and duties shall be terminated on June 30, 2001. Directs the joint legislative audit and review committee to conduct or contract for the performance of a fiscal audit of the family policy council and the community public health and safety networks. The committee shall submit a final audit report to the legislature by December 30, 1999. **Senate Human Services & Corrections.**

SB 6542: Family Policy Council

Increases the number of legislators on the council. Requires each of the twenty-three people who are members of each community public health and safety network to sign an annual notarized statement that clearly, in plain and understandable language, states whether or not he or she has a fiduciary interest. If a member has a fiduciary interest, the nature of that interest must be made clear, in plain understandable language, on the signed statement. **Senate Human Services & Corrections.** *Public Hearing, 1-28-98, 8:00 AM, Senate Hearing Room 4.*

TOBACCO

HB 2541: Tobacco Settlement Receipts

Requires that all tobacco settlement receipts received by any state officer or employee shall be deposited in the health services account. **House Health Care.**

HB 2631: Health Care Access

Declares that any financial claims due the state for losses resulting from tobacco use pursuant to a legal settlement, an act of the United States Congress, or both, shall be deposited in the health services account. **House Health Care.**

SB 6137: Tobacco Possession by Minors

Makes it illegal for a minor to possess or attempt to possess tobacco. Requires minors found guilty of possession or purchase of tobacco to pay a fine and perform four hours of community service. The court may also order the minor into a tobacco cessation program. **Senate Commerce & Labor.**

SB 6354: Tobacco Industry Settlements

Provides that, unless otherwise directed by an act of Congress or, in the case of a lawsuit against the tobacco industry, the ensuring settlement or judicial determination, any recovery for damages received by the state in any such settlement or litigation, exclusive of costs and fees, shall be deposited into the health services account. **Senate Health & Long Term Care.**

SB 6483: Cigarette/Tobacco Tax Enforcement

Authorizes the transfer of enforcement of cigarette and tobacco taxes to the liquor control board. **Senate Ways and Means.**

SB 6485: Tobacco Settlement Moneys

Provides that, in any legal action, or settlement thereof, by the state of Washington to recover moneys expended by the state for the tobacco-related health care costs of state residents, and to the maximum extent permitted by court order, negotiated settlement, or federal law, the proceeds received by the state shall be subject to legislative appropriation and shall be deposited as follows: (1) Two-thirds of the proceeds shall be deposited to the education

enhancement account; and (2) one-third of the proceeds shall be deposited to the health services account, and may be used exclusively for funding the enrollment of eligible persons in the basic health plan. Requires approval by the people at the next general election. **Senate Ways and Means.**

WELFARE REFORM

SB 6331: Teen Parent/TANF Eligibility

Provides that, in cases where these teen parents are uncooperative with the standards, the minor parent head of the assistance unit and the minor parent's child or children be denied public assistance benefits until cooperation with legal requirements for temporary assistance for needy families for teens is achieved. The legislature intends that, during the period of noncompliance, children of uncooperative minor teen parents be ineligible for assistance, including child-only benefits. **Senate Health & Long Term Care.** *Public Hearing, 1-27-98, 10:00 AM, Senate Hearing Room 4.*

SB 6418: Support Enforcement. Implements technical amendments to the federal personal responsibility and work opportunity reconciliation act of 1996. **Senate Health & Long Term Care.** *Public Hearing, 1-27-98, 10:00 AM, Senate Hearing Room 4. ♦*

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The following are cut-off dates for the 1998 Legislature. These dates apply to all bills, memorials, and joint resolutions with the exception of budgets, matters necessary to implement budgets, initiatives to the legislature, and alternatives to initiatives to the legislature.

February 6, 1998: Final day to read in committee reports in the house of origin with the exception of reports from the Senate Ways and Means and Transportation Committees and House fiscal committees.

February 10, 1998: Final day to read in Senate Ways and Means and Transportation Committees and House fiscal committee reports in the house of origin.

February 17, 1998: Final time to consider bills in their house of origin.

February 27, 1998: Final day to read in committee reports on bills from the opposite house, with the exception of reports from the Senate Ways and Means and Transportation Committees and House fiscal committees.

March 2, 1998: Final day to read in Senate Ways and Means and Transportation Committees and House fiscal committee reports on bills from the opposite house.

March 6, 1998: Neither house may consider any bills, memorials, or joint resolutions except initiatives to the legislature and alternatives to such initiatives, messages pertaining to amendments, matters of differences between the two houses, conference and free conference reports, and matters incident to the interim and to the closing of the business of the 1998 Regular Session of the Legislature.

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